

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BIONPHARMA INC.,

Plaintiff,

v.

CORERX, INC.,

Defendant.

Case No. 1:21-cv-10656-JGK-VF

~~PROPOSED~~ ORDER GRANTING CORERX'S MOTION TO SEAL


Upon the motion of Defendant, CoreRx, Inc., for an order sealing excluding the testimony of Kurt Nielsen, Ph.D., at trial in this action, and upon review of CoreRx's Memorandum of Law in support thereof and the Declaration of Mark A. Robertson and the exhibits thereto, it is hereby:

ORDERED that Defendant's Motion to Seal is **GRANTED**, and it is

FURTHER ORDERED that (1) those portions highlighted in CoreRx's Memorandum of Law in Support of its Motion *in Limine* to Exclude Putative Expert Kurt Nielsen shall remain sealed in the public records of this case; (2) the entirety of Defendant CoreRx's Memorandum of Law in Support of its Motion *in Limine* to Exclude Putative Expert Kurt Nielsen shall remain sealed in the public records of this case until such time as Bionpharma can determine whether the entire memorandum of law should be under seal or any additional portions other than the highlighted portions should be redacted to stay under seal; (3) the entirety of Exhibit 1 (Expert Report) to the declaration of Mark A. Robertson (the "Robertson Decl.") shall remain sealed in the public records of this case; (4) those portions highlighted in Exhibit 2 (excerpts from the transcript of the deposition of Kurt Nielsen) to the Robertson Declaration shall remain sealed in

the public records of this case; (5) the entirety of Exhibit 2 (excerpts from the transcript of the deposition of Kurt Nielsen) to the Robertson Declaration shall remain sealed in the public records of this case until such time as Bionpharma can determine whether all excerpts from the deposition transcript should be under seal or any additional portions other than the highlighted portions should be redacted to stay under seal; and (6) the entirety of Exhibit 3 (CORERX_BION_00068651) to the Robertson Declaration shall remain sealed in the public records of this case.

DATED: 4/20/23



The Honorable John G. Koeltl